

REMARKS

By this response, claims 1, 2 4-11, 26 and 27 are pending as a continuing application under 37 C.F.R. §1.114 (Request for Continued Examination (RCE)). Compared to prior versions, claims 1, 4, 5 and 7 are amended while 2, 6 and 8-11 remain original. Also, claims 26 and 27 are new while 3 and 12-25 are canceled. Claims 26 and 27 also reflect the content of agreed-upon subject matter of an interview between the undersigned, the Examiner and the Examiner's supervisor (Stephen D. Meier) on August 24, 2006. To the extent the prior art remains relevant, these remarks address the merits of the Final Office Action dated July 10, 2006. Namely, these remarks address the Examiner's rejection of claims 1-11 as anticipated under 35 U.S.C. §102(b) in view of Kobayashi et al. (U.S. 2002/0044184) or as obvious under 35 U.S.C. §103(a) in view of Kobayashi and Matsuzaki (U.S. 6,416,152). In some instances, the claims are rejected in further view of Ujita (U.S. 2002/0158949). These remarks also reflect the content of the identified interview.

Preliminarily, however, the Examiner objects to the word "substantially" in each of claims 4 and 7. In that the word has been stricken, the objection should be obviated. As presently recited, at least one air diffusion vent is indeed "prevented," not "substantially prevented," from communicating with atmosphere during use. In other words, it is rendered inoperative during the time of printing.

Turning to the rejections, the Examiner rejects all independent claims as anticipated by Kobayashi or as obvious in view of Kobayashi in combination with Matsuzaki. Neither, however, teach the invention as described below and cannot be said to anticipate or render obvious. In turn, the Applicant respectfully requests reconsideration.

On the one hand, Kobayashi teaches a label 150 for positioning on a printhead lid with an air diffusion vent 116. *E.g., Figures 9 and 11; and paragraphs [0103] and [0110]*. On the other hand, it nowhere teaches the label being "positioned over an entirety of at least one"

air diffusion vent while at the same time, e.g., during the time of “printing,” “not positioned over an entirety of another” of the air diffusion vents as in the Applicant’s independent claim 1. Similarly, claim 4 recites that the label is “positioned over an entirety of at least one” air diffusion vent to “prevent” it from “fluidly communicating with atmosphere,” while at the same time during printing “another of said at least two air diffusion vents” is “in fluid communication with atmosphere.” In other words, both claims recite the notion that one air diffusion vent operates during printing while another is prevented from operating during printing. As a result, skilled artisans understand the instant invention as being many air diffusion vents in a single, reproducible lid for multiple different styles of printheads, but one or more vents might be closed off from atmosphere during use, and rendered inoperable, by positioning the label over an entirety of at least one vent. Nowhere does Kobayashi hint at this.

Also, Kobayashi’s entire description on the matter simply states “a vent hole 115 is formed in the upper cover 11, and a meandering air-releasing channel 116 continuing to the vent hole 115 is also formed therein. A re-releasable film 150 is attached to an outer surface of the upper cover . . .;” and “an upper cover 11A in an upper surface of which a plurality of air vent holes 115A and air-releasing channels 116A are formed to the upper surface of which a film 150a can be attached.” *Paragraphs [0103] and [0110]*. In turn, if the Examiner likens Kobayashi’s vent hole 115 or the meandering air-releasing channel 116, or both together, to the air diffusion vents of the claimed instant invention, nowhere is an entirety of one structure covered by a label while another is not entirely covered by the label so that one can communicate with atmosphere while another cannot, especially during the time of printing. This hardly then renders the claim anticipated. In fact, for any of Kobayashi’s printheads to operate, the air-releasing channels 116 must be vented to atmosphere during use, thereby teaching other than an entirety being covered by a label.

While the vent holes 115 are covered by the label, none are uncovered, and all must vent fluidly to atmosphere during printing by way of the fluidly-connected air-releasing channel.

In Matsuzaki, a sealing film 52 is found covering an entire air diffusion groove 28 and attendant holes and ports 28a and 26, during shipping (not during use). *Figures 9A, 9B.* Then, upon use, a user rips the film tab 52c to expose a portion of the groove 28 and the hole 28a. *Figure 9c.* However, independent claim 5 recites label “placement” positions where a number “less than all” of the air diffusion vents communicate with atmosphere “during printing.”¹ In comparison to Matsuzaki, Figures 9a and 9b show no air diffusion grooves as able to communicate with atmosphere during shipping. In Figure 9c, Matsuzaki teaches a label “removed” or “destroyed” position for printing. Yet, this shows all grooves and all air communication ports and holes 26, 28 communicating with atmosphere² and cannot read on claims 5-11 for want of less than all air diffusion vents communicating with atmosphere during printing. In other words, a destroyed or removed position of Matsuzaki enables all grooves 28 and all air communication ports and holes 26, 28 to be operative during the time of printing. The instant invention, however, renders some or less than all of the air diffusion vents inoperative during printing. As to the Examiner’s position of label positions being one

¹ Independent claim 7 alternatively claims the label placement positions such that “some” of the air diffusion are “prevented from being in fluid communication with atmosphere during printing.”

² It is also submitted that ink inlet 25 of Matsuzaki is never an air diffusion vent. To the extent the Examiner might try and liken it to one in formulating a rejection, it then does not read on the claims for want of “at least two predetermined label placement positions.” In other words, a destroyed or removed position of Matsuzaki in Figure 9c during printing is not one of two predetermined positions in which the label was “placed.” In fact, it is a lack of position because no label exists over the end of groove 28 when it is removed and the entirety of Figures 9a-9c teach a “single” predetermined label “placement” position. That is, label 52 is only found in one position upon placement. The claims (e.g., 5-11), in contrast, require “at least two predetermined label placement positions.”

of two positions because of “the fact that there is a position for label [sic] to cover teaches a second position is provided for label placement,” *7-10-06 Final Rejection, p. 9, final ¶*, the claim recites that the label is in one of two “predetermined” positions. It is undisputed that an infinite number of label positions exist if a manufacturer were to place it somewhere on a printhead lid. The reasoning for a “predetermined” position is that such is thought out in advance and the label is intentionally placed there. For at least these reasons the claims are submitted as allowable and reconsideration is requested.

In claims 26 and 27, the Applicant has further recited that an inkjet printhead has an air diffusion vent with a fluidly connected ink fill hole. During printing, a label covers an entirety of both one air diffusion vent and one ink fill hole. Kobayashi, on the other hand, shows an entirety of all vent holes 115 covered and all meandering air-releasing channels 116 having portions uncovered by a label 150 during the time of printing so that the printhead will operate. Similarly, Matsuzaki shows during the time of printing (e.g., Figure 9c) that an entirety of air communication port 26 covered by a label and portions of the fine groove 28 and the entirety of the air communication hole 28 uncovered by the label. (Matsuzaki also shows an ink inlet 25 covered by a label but such does not fluidly communicate with any other structure that is covered by a label during the time of printing.) In either reference, there is then avoidance of an ink fill hole and a fluidly connected air diffusion vent that are both covered, in their entirety, by a label during the time of printing. Also, the content of these claims were agreed upon that none of the references taught such features. For at least this reason, claims 26 and 27 are submitted as allowable.

The remaining claims are submitted as patentable for their dependence on a base, independent claim described above. Also, a detailed discussion of Ujita is not required because all of the independent claims stand or fall on the Examiner’s characterization of

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Preliminary Remarks and Request for Continued Examination dated September 13, 2006

Reply to Final Rejection of July 10, 2006

Koboyashi and/or Matsuzaki. In turn, the dependent claims can stand or fall on the teaching of both references.

For at least these reasons, the Applicant submits that all claims are in a condition for allowance and requests a timely Notice of Allowance be issued for same. *To the extent any fees are due beyond those expressly authorized in the accompanying transmittal forms for the Request for Continued Examination, the undersigned authorizes their deduction from Deposit Account No. 11-0978.*

Respectfully submitted,
KING & SCHICKLI, PLLC



Michael T. Sanderson
Registration No. 43,082

247 North Broadway
Lexington, Kentucky 40507
(859) 252-0889

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